

Message Text

CONFIDENTIAL

PAGE 01 STATE 143039
ORIGIN NEA-10

INFO OCT-01 ISO-00 ONY-00 /011 R

DRAFTED BY NEA/ARP:COCECIL:GGRAY:SLB
APPROVED BY NEA/ARP:JWTTWINAM
NEA/RA:SHOLLY
DESIRED DISTRIBUTION
NO DISTRIBUTION OUTSIDE NEA

-----018288 202222Z /44

P 202112Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY SANA PRIORITY

C O N F I D E N T I A L STATE 143039

E.O. 11652: GDS

TAGS: SHUM, YE

SUBJECT: HUMAN RIGHTS EVALUATION PLAN FOR YEMEN ARAB
REPUBLIC

1. DRAFT HRCEP FOLLOWS. APPRECIATE YOUR REVIEW AND COMMENTS
BY OPENING OF BUSINESS THURSDAY, JUNE 23.

2. BEGIN TEXT: HUMAN RIGHTS EVALUATION PLAN FOR YEMEN
ARAB REPUBLIC.

THE YEMEN ARAB REPUBLIC (YAR), AS ONE OF THE WORLD'S
POOREST COUNTRIES, CANNOT EASILY BE ANALYZED IN THE LIGHT
OF WESTERN SOCIO-POLITICAL EXPERIENCE. ITS ECONOMY IS
PRIMITIVE, THE PEOPLE MOSTLY ILLITERATE, THE GOVERNMENT
RUDIMENTARY. AREAS OF THE NORTHERN PART OF THE COUNTRY
ARE NOT UNDER THE CENTRAL GOVERNMENT'S CONTROL. IN ANY
CASE, OUR KNOWLEDGE OF THE COUNTRY--PARTICULARLY OF
PEOPLE'S LIVES AT THE GRASS ROOTS--IS LIMITED AND DOES NOT
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 143039

PERMIT DETAILED COMMENT ON THE CONDITION OF HUMAN RIGHTS
THERE.

IT SEEMS ACCURATE TO SAY THAT THE YAR'S OVERALL ATTITUDE TO-
WARD HUMAN RIGHTS IS ACCEPTABLE. WITHIN THE CONTEXT OF ITS
TRIBAL WAYS OF LIFE, UNDER WHICH INDIVIDUALISM IN THE

THE AMERICAN SENSE IS DE-EMPHASIZED, THERE IS VERY SUBSTANTIAL RESPECT FOR THE INTEGRITY OF THE PERSON. VIOLATIONS DO OCCUR BUT ONLY SPORADICALLY AND WITHOUT CENTRAL GOVERNMENT SANCTION.

A. CONDITION OF HUMAN RIGHTS IN YEMEN ARAB REPUBLIC

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. TORTURE: PRISONERS INCARCERATED IN REMOTE AREAS ARE STILL SOMETIMES SUBJECTED TO CRUEL OR INHUMAN TREATMENT. THESE PRACTICES ARE NOT SANCTIONED BY THE CENTRAL GOVERNMENT BUT IT IS NOT ABLE TO PREVENT THEIR OCCURRENCE IN REGIONS WHERE IT HAS LIMITED ADMINISTRATIVE CONTROL.

B. CRUEL, INHUMAN OR DEGRADING PUNISHMENT:

ISLAMIC LAW SANCTIONS THE CONTINUING PRACTICE OF SEVERING THE HAND OF CONVICTED THIEVES. IN PRACTICE SUCH PUNISHMENT IS NOT METED OUT TO FIRST OR SECOND OFFENDERS. CAPITAL PUNISHMENT BY PUBLIC BEHEADING IS PROVIDED FOR BY LAW FOR MURDER AND OTHER HEINOUS CRIMES.

C. ARBITRARY ARREST OR IMPRISONMENT:

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 143039

LOWER LEVEL AND MILITARY OFFICIALS HAVE, ON THEIR OWN INITIATIVE, ARRESTED OR DETAINED INDIVIDUALS WITHOUT ADEQUATE GROUNDS OR ON THE BASIS OF HEARSAY AND CIRCUMSTANTIAL EVIDENCE. EVEN IN THE MIDST OF A SMOOTH CABINET SHUFFLE IN 1975, THREE CABINET MEMBERS WERE BRIEFLY DETAINED AFTER PROTESTING THE PRIME MINISTER'S FORCED RESIGNATION.

THESE PRACTICES ARE AT VARIANCE WITH THE CONSTITUTION'S IDEALISTIC TERMINOLOGY, BUT SUCH ARBITRARY DETENTIONS ARE USUALLY BRIEF.

THERE ARE A NUMBER OF YEMENI POLITICAL EXILES FROM THE HARSH CIVIL WAR OF THE 1960S.

D. DENIAL OF FAIR PUBLIC TRIAL:

YEMENIS CAN OBTAIN FAIR TRIAL UNDER THE PROCEDURES PRESCRIBED BY KORANIC LAW AND WITHIN THE LIMITATIONS IMPOSED BY THE ABSENCE OF CRIMINAL AND CIVIL LAW CODES AND COURTS. THE RELIGIOUS COURTS HAVE LONG TRADITIONS OF FAIRNESS AND IMPARTIALITY. HOWEVER, HEARINGS BEFORE RELIGIOUS JUDGES

ARE INTENDED MORE TO ASSURE THAT THE INJURED PARTY IN A

DISPUTE OBTAINS SATISFACTION RATHER THAN TO DETERMINE THE CHARGES AGAINST A PRISONER AND GUARANTEE THAT HIS LEGAL RIGHTS ARE RESPECTED. THE WESTERN CONCEPT OF AN ARRAIGNMENT IS INCORPORATED IN THE LEGAL SYSTEM WHICH IS SCHEDULED FOR IMPLEMENTATION IN 1977.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES.

A. FREEDOM OF THOUGHT, RELIGION AND ASSEMBLY: WHILE MOST PEOPLE DO NOT FEAR TO EXPRESS THEMSELVES OR WORSHIP ACCORDING TO THEIR BELIEFS, THE OPPORTUNITIES FOR ASSEMBLY ARE LIMITED. THERE IS NO EVIDENCE OF RELIGIOUS INTOLERANCE.
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 143039

ANCE WITHIN THE COUNTRY. MOST INDIVIDUALS ARE MUSLIM.

--- THE JEWISH COMMUNITY IN YEMEN IS SMALL AND RESIDES IN REMOTE AND RATHER PRIMITIVE SECTIONS OF THE COUNTRY BUT IT IS SECURE AND EASILY ACCEPTED IN THE SOCIETY. IT IS UNDER NO RESTRICTIONS AS TO MOVEMENT OR EMIGRATION. FOREIGN CHRISTIANS ARE ALSO ALLOWED TO WORSHIP FREELY.

B. FREEDOM OF MOVEMENT WITHIN A COUNTRY, FOREIGN TRAVEL AND EMIGRATION POLICIES: FREEDOM TO MOVE ABOUT THE COUNTRY IS OCCASIONALLY DISRUPTED BY LOCAL TRIBAL PARAMILITARY ORGANIZATIONS; THE GOVERNMENT CONSTANTLY WORKS TO RESTORE SUCH FREEDOM. PEOPLE GENERALLY DO HAVE WIDE FREEDOM TO TRAVEL WITHIN AND OUTSIDE THE COUNTRY.

C. DEMOCRATIC PROCESSES ASSURING THE FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS:

THE OPPORTUNITIES FOR PARTICIPATION IN THE POLITICAL PROCESS ARE VERY LIMITED. THE CENTRAL GOVERNMENT HAS NOT FOUND A MEANS OF FORMALLY ASCERTAINING AND TAKING INTO CONSIDERATION POPULAR VIEWS, EXCEPT WITHIN A NARROW, TRADITIONAL TRIBAL CONTEXT. AN ELECTED CONSULTATIVE ASSEMBLY, NON-EXISTENT SINCE SHORTLY AFTER AL-HAMDHI CAME TO POWER IN 1974, HAS LONG BEEN BRUIED BUT NOT YET DELIVERED.

3. RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION.

A. RESPONSIVENESS TO NEEDS:

CONFIDENTIAL

CONFIDENTIAL

PAGE 05 STATE 143039

YAR GOVERNMENT POLICIES IN GENERAL HAVE TENDED TO BE SUPPORTIVE OF YEMENIS' BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION, AT LEAST WHEN COMPARED TO THOSE OF PREVIOUS GOVERNMENTS WHICH HAD BEEN PLAGUED WITH

SEEMINGLY ENDLESS CIVIL STRIFE. DEVELOPMENT EXPENDITURES HAVE SOARED, AND, WHILE PHYSICAL INFRASTRUCTURE HAS BEEN EMPHASIZED, THE NEEDS OF INDIVIDUALS HAVE AT LEAST PARTIALLY BEEN MET BY THE MASSIVE INFLOW INTO PRIVATE HANDS OF REMITTANCES FROM YEMENIS WORKING ABROAD, PARTICULARLY IN SAUDI ARABIA.

B. CORRUPTION:

CORRUPTION ON A MAJOR SCALE HAS NOT BEEN CHARACTERISTIC OF THE YAR, PERHAPS BECAUSE THERE ARE RELATIVELY FEW OPPORTUNITIES FOR ARBITRARY ACTION IN ITS LAISSEZ FAIRE ECONOMY.

4. GOVERNMENT ATTITUDE

PREOCCUPIED AS IT HAS BEEN WITH CONSOLIDATION OF ITS CONTROL OVER THE COUNTRY, THE YAR GOVERNMENT HAS NOT DWELT ON ACHIEVEMENT OF A POSITIVE HUMAN RIGHTS RECORD, BUT NEITHER HAS IT ACQUIRED A REPUTATION AS AN OPPRESSOR. UNDER AL-HAMDI, THE EMPHASIS HAS BEEN ON ACHIEVING CONTROL THROUGH MATERIAL INDUCEMENTS TO ACTUAL OR POTENTIAL OPPONENTS; POLICIES SMACK MORE OF THE CARROT THAN OF THE STICK. AS LONG AS MAJOR FLOWS OF FINANCIAL RESOURCES CONTINUE FROM NEIGHBORING ARAB COUNTRIES, THESE POLICIES WILL PROBABLY CONTINUE, ALTHOUGH THE TEMPTATION--AND ;HEREFORE T;E POSSIBILITY--IS ALWAYS THERE FOR THE REGIME TO TRY TO SPEED UP THE PROCESS OF NATIONAL INTEGRATION THROUGH THE FORCIBLE REPRESSION OF TRIBAL OPPONENTS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 06 STATE 143039

ANALYSIS AND RECOMMENDATIONS

SHORTCOMINGS IN THE HUMAN RIGHTS AREAS ARE MOST OFTEN THE RESULT OF AGE-OLD TRIBAL AND RELIGIOUS PRACTICES, IN MANY WAYS OUTSIDE THE CONTROL OF THE CENTRAL GOVERNMENT. ANY STEPS THE USG CAN TAKE TO STRENGTHEN THE AUTHORITY OF THE CENTRAL GOVERNMENT WILL REDUCE CAPRICIOUS

PRACTICES BY LOCAL OR TRIBAL AUTHORITIES AND SHOULD RESULT IN A MORE CONSISTENT OBSERVANCE OF HUMAN RIGHTS PRACTICES. STEPS WE MIGHT TAKE TO PROMOTE INCREASED YEMENI AWARENESS OF HUMAN RIGHTS QUESTIONS INCLUDE:

FIRST, SEEK TO INCREASE OUR DETAILED KNOWLEDGE ON THE STATE OF HUMAN RIGHTS IN THE YAR. THE EMBASSY SHOULD SYSTEMATICALLY COLLECT AND REPORT INFORMATION FROM VARIOUS PARTS OF THE COUNTRY, PAYING PARTICULAR ATTENTION TO BOTH THE FORMAL LEGAL SYSTEM AND INFORMAL SOCIAL ATTITUDES AS CONSTRAINTS ON ARBITRARY BEHAVIOR OF THOSE IN POWER.

SECOND, EXAMINE EXISTING U.S. PROGRAMS IN YEMEN--AID, PEACE CORPS, GRANT MILITARY TRAINING, CULTURAL EXCHANGES-- TO SEE WHAT THESE MIGHT CONTRIBUTE TO THE LONG-TERM IMPROVEMENT OF HUMAN RIGHTS. WE MIGHT MAKE SURE IV GRANTEES HAVE OPPORTUNITIES TO GAIN INSIGHT INTO THE U.S. SYSTEM OF REPRESENTATIVE GOVERNMENT, WHICH MIGHT SERVE AS AN EXAMPLE OF HOW LOCAL NEEDS AND CENTRIFUGAL FORCES ARE RECONCILED WITH THE LEGITIMATE NATIONAL NEEDS.

THIRD, ON A REGIONAL BASIS, THE ARABIC SERVICE OF A VOICE OF AMERICA MIGHT FOCUS ATTENTION ON HUMAN RIGHTS QUESTIONS, BEGINNING WITH A SERIES OF PROGRAMS ON MILESTONES IN THE AMERICAN STRUGGLE TO INSURE HUMAN RIGHTS IN THE U.S., AND FOCUSING ON SIGNIFICANT CONTRIBUTIONS BY ARAB OR MUSLIM
CONFIDENTIAL

CONFIDENTIAL

PAGE 07 STATE 143039

LEADERS TO THE PROTECTION OF HUMAN RIGHTS.

NONE OF THESE COURSES OF ACTION SEEMS LIKELY TO CAUSE US ANY DIFFICULTIES WITH THE YARG, OR THE YEMENI PEOPLE.

WHILE THE YAR'S ATTITUDE IS GOOD, WE DOUBT IT WILL SUPPORT U.S. EFFORTS TO PROMOTE HUMAN RIGHTS AROUND THE WORLD UNLESS ITS RICHER NEIGHBORS, SAUDI ARABIA IN PARTICULAR, LEAD THEM IN THAT DIRECTION. IN FORMULATING THEIR FOREIGN POLICY, YEMENIS TEND TO IGNORE THE INTERNAL AFFAIRS OF OTHER COUNTRIES UNLESS THESE HAVE DIRECT FOREIGN POLICY IMPLICATIONS. END TEXT.

5. IN REPLYING, REQUEST EMBASSY CONSIDER WHETHER SUBJECT OF RIGHTS OF WOMEN REQUIRES EXPLICIT TREATMENT IN EVALUATION PLAN. ALSO REQUEST EMBASSY GIVE SPECIAL CONSIDERATION TO ACTION RECOMMENDATIONS AND PROPOSE ADDITIONAL STEPS WHICH MIGHT ALSO BE PRODUCTIVE. VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 20-Jun-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE143039
Document Source: CORE
Document Unique ID: 00
Drafter: COCECIL:GGRAY:SLB
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770220-0213
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770638/aaaabhqp.tel
Line Count: 274
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 3d65e779-c288-dd11-92da-001cc4696bcc
Office: ORIGIN NEA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2090991
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS EVALUATION PLAN FOR YEMEN ARAB REPUBLIC
TAGS: SHUM, YE
To: SANA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/3d65e779-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009